

**BOARD OF COUNTY COMMISSIONERS
DRAFT AGENDA
FEBRUARY 18, 2009**

A. 1:00 P.M. CALL TO ORDER

B. EXECUTIVE SESSION PURSUANT TO SECTION 121.22 (G) (3) OF THE OHIO REVISED CODE REGARDING PENDING LITIGATION

1. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER XX-09/PAYMENT OF BILLS...

Recommendation that the Board of County Commissioners adopt Resolution Number **XX-09** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor XX/XX/XX in the total amount of \$X,XXX,XXX.XX, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

2. IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...CHANGE ORDER NUMBER 2 TO THE CONTRACT WITH LEE R. EUBANKS, DBA EUBANKS CONSTRUCTION, FOR PROJECT NUMBER 2006-06 RELATIVE TO THE VILLAGE OF FELICITY MARKET STREET IMPROVEMENTS PROJECT IN CONCERT WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT FORMULA PROGRAM AND COMMUNITY DISTRESS SET-ASIDE FUNDS FOR FISCAL YEAR 2006; ACCEPTANCE OF THE CONTRACT AS COMPLETE; EXECUTION OF THE CERTIFICATES OF SUBSTANTIAL AND FINAL COMPLETION THEREFORE; AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 5, FINAL, WHICH REPRESENTS THE RELEASE OF RETAINAGE RELATIVE THERETO...07-0820-004...

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute Change Order Number 2 to the Contract with Lee R. Eubanks, DBA Eubanks Construction, P. O. Box 248, Felicity, Ohio 45120, previously ratified by the Board of County Commissioners on 10/24/07 and subsequently amended on 12/17/08, for Project Number 2006-06 relative to the Village of Felicity Market Street Improvements Project in concert with the Community Development Block Grant Formula Project and Community Distress Set-Aside Funds which represents a decrease in the amount of \$40,244.80, for a total adjusted contract price to date of \$361,892.20 for additions, deletions and/or modifications thereto as defined therein; to accept the Contract as complete as of 09/13/08; to execute the Certificates of Substantial and Final Completion therefore; and to approve the Estimate for Partial Payment Number 5, Final, which represents the release of retainage in the principal amount of \$11,882.52 plus accrued interest earned thereon relative thereto.

3. IN RE: OFFICE OF ENVIRONMENTAL QUALITY...2009 LITTER CLEANUP GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES/DIVISION OF RECYCLING & LITTER PREVENTION FOR THE COUNTY OF CLERMONT, OHIO...09-0121-002...

Recommendation of Paul Braasch, Coordinator, Office of Environmental Quality, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to
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authorize Edwin H. Humphrey, the authorized official designated on the Application Endorsement Page, to execute the 2009 Litter Cleanup Grant Agreement by and between the County of Clermont, Ohio and the Ohio Department of Natural Resources/Division of Recycling & Litter Prevention, 2045 Morse Road, Building C-2, Columbus, Ohio, 43229-6693 for funding relative to litter collection activities in the amount of \$2,500.00, with no local match required therefore, effective 03/01/09 through 05/31/09 in concert with the Application approved by the Board of County Commissioners on 01/21/09, and pursuant to the terms and conditions set forth therein.

4. IN RE: CLERMONT COUNTY SEWER DISTRICT...MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF A SANITARY SEWER MAIN EXTENSION FOR SAME...09-0203-003...

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute a Maintenance Bond in the amount outlined below as surety for the installation of a Sewer Main Extension to serve the following location within Goshen Township:

Location	Township	Sewer Bond
1660 Woodville Pike	Goshen	\$1,000.00

5. IN RE: CLERMONT COUNTY SEWER DISTRICT...RESOLUTION NUMBERS XX-09 THROUGH XX-09/RESOLUTIONS CERTIFYING DELINQUENT UTILITY CHARGES TO THE CLERMONT COUNTY AUDITOR FOR PLACEMENT ON THE REAL PROPERTY TAX LIST AND DUPLICATE...

Recommendation of Sukie Scheetz, Controller, Clermont County Sewer District, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Numbers **XX-09 through XX-09** to certify delinquent utility charges to the Clermont County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibits A, attached thereto and made a part thereof, pursuant to Sections 6103.02 and 6117.02 of the Ohio Revised Code, as outlined below:

Delinquent Utility	Total Amount
Sewer Charges Resolution Number XX-09 DC# 09-0206-001	\$76,781.37
Water Charges Resolution Number XX-09 DC# 09-0206-002	\$44,000.69
Miscellaneous Utility Charges Resolution Number XX-09 DC# 09-0206-003	\$41,752.64

6. IN RE: CLERMONT COUNTY SEWER DISTRICT...GRANT OF SEWER EASEMENT WITH RIGHT OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO FOR PROJECT NUMBER 651-0842 RELATIVE TO THE INDIAN LOOKOUT TRUNK LINE PROJECT LOCATED IN MIAMI TOWNSHIP...09-0204-002...

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grant of Sewer Easement with Right of Re-entry for Repair and Replacement heretofore granted and

conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing or reinstalling sewer utility lines and all incidental appurtenances required for the transportation of sewer in, on, under, and across the property of the Grantor for Project Number 651-0842 relative to the Indian Lookout Trunk Line Project located in Miami Township, and to authorize the County Auditor to remit payment to the Grantor in the amount as outlined below and as indicated on the Settlement Sheet attached thereto as compensation for the Permanent Easement and Right-of-Way granted thereby and to remit payment payable to J. Robert True, Clermont County Treasurer, in the amount of \$44.00 for the recording fees required relative thereto:

Grantor	Parcel Number	Compensation
Strange Properties, Ltd. C/O Doris C. Strange P. O. Box 655 Point Clear, Alabama 36564-0655 Property Location: Pine Lane/Miami Township	17-25-18I-165 17-25-18I-166	Perm \$5,464.00

7. IN RE: COUNTY ENGINEER...MT. CARMEL HEIGHTS SUBDIVISION/ SECTION 2/UNION TOWNSHIP...RECORD PLAT NUMBER 629-XXXX FOR THE REPLAT OF LOT NUMBER 4 AND THE DEDICATION OF 0.337 ACRES TO BEECHWOOD ROAD LOCATED IN UNION TOWNSHIP...09-0206-004....

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-XXXX** for the Replat of Lots in the following Subdivision within Union Township:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lot Number 4 Mt. Carmel Heights Subdivision Section 2 Union Township	629-XXXX	To create new Lots Number 91 and 92 and to dedicate 0.337 Acres to Beechwood Road

8. IN RE: COUNTY ENGINEER...LEXINGTON RUN SUBDIVISION/BATAVIA TOWNSHIP...RELEASE OF THREE YEAR PERFORMANCE BONDS FOR SIDEWALKS AND IN LIEU THEREOF ACCEPTANCE OF ONE YEAR PERFORMANCE BONDS FOR SIDEWALKS FOR SAME...

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of Three Year Performance Bonds for Sidewalks within the following Subdivision located in Batavia Township, and in lieu thereof, to accept One Year Performance Bonds for Sidewalks within same in the amounts as follows:

Subdivision	Three Year Performance Bond	One Year Performance Bond
Lexington Run Subdivision/ Bugler’s Sound/Phase 1 Saddletop Ridge/Phase 1 Champion’s Crossing/Phase 1 Twin Spires/Phase 1 Batavia Township DC# 04-1208-002	\$158,970.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL01488 and Amendment Number 1 issued by U.S. Bank National Association, International Department., SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101	\$21,550.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL01488 and Amendment Number 4 and Amendment Number 5 issued by U.S. Bank National Association, International Department., SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101

Lexington Run Subdivision/ Bugler's Sound/Phase 2 Batavia Township DC# 05-1209-019	\$24,300.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL02083 issued by U.S. Bank National Association, International Department., SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101	\$7,090.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL02083 with Amendment Number 1, Revised Amendment Number 1, and Amendment Number 2 issued by U.S. Bank National Association, International Department., SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101
Lexington Run Subdivision/ Saddletop Ridge/Phase 3 Batavia Township DC# 06-0713-001	\$16,180.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL02483 issued by U.S. Bank National Association, International Department, SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101	\$8,220.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL02483, with Amendment Number 1 and Amendment Number 2 issued by U.S. Bank National Association, International Department, SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101
Lexington Run Subdivision/ Twin Spires/Phase 3 Batavia Township DC# 05-1207-001	\$20,500.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL02082 issued by U.S. Bank National Association, International Department, SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101	\$7,890.00 Secured by Irrevocable Standby Letter of Credit Number SLCLSTL02082 with Amendment Number 1 and Amendment Number 2 issued by U.S. Bank National Association, International Department, SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101

9. IN RE: COUNTY SHERIFF...FEDERAL EQUITABLE SHARING AGREEMENTS AND CERTIFICATIONS BY AND AMONG THE FEDERAL GOVERNMENT (U.S. DEPARTMENT OF JUSTICE, THE U.S. DEPARTMENT OF THE TREASURY), THE CLERMONT COUNTY SHERIFF AND THE BOARD OF CLERMONT COUNTY COMMISSIONERS...09-0203-001...

Recommendation of Albert J. Rodenberg, Jr., County Sheriff, to execute the Federal Equitable Sharing Agreements and Certifications by and among the Federal Government (U.S. Department of Justice, Asset Forfeiture and Money Laundering Section, 10th and Constitution Avenue, NW, Bond Building, 10th Floor, Washington, D.C. 20530, the U.S. Department of the Treasury, Executive Office for Asset Forfeiture, 740 15th Street, NW, Suite 700, Washington, D.C. 20220,) the Clermont County Sheriff, and the Board of Clermont County Commissioners for the Sheriff's Office and Task Force (Clermont County Drug Unit) for the period ending 12/31/08 and resolving to certify that the County Sheriff/Board of County Commissioners are in compliance with the provisions of the Justice and/or Treasury Guides during the reporting period and in compliance with the National Code of Professional Conduct for Asset Forfeiture, pursuant to the terms and conditions set forth therein.

10. IN RE: BOARD OF COUNTY COMMISSIONERS...DESIGNATION OF APPOINTMENT TO SERVE ON THE CLERMONT COUNTY PLANNING COMMISSION...09-0203-002...

Recommendation to appoint Mark P. Carter, 6623 Saddlebrook Court, Loveland, Ohio 45140, to serve on the Clermont County Planning Commission, effective 02/18/09 through 03/30/09, for

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the unexpired term previously held by Karl Schultz, and upon expiration thereof, resolve to appoint him to serve thereon for a full three year term, effective 03/31/09 through 03/30/12, pursuant to Section 713.22 of the Ohio Revised Code.

11. IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION FOR THE ISSUANCE OF A PROCUREMENT CARD FOR AN EMPLOYEE OF THE CLERMONT COUNTY COMMON PLEAS CLERK OF COURTS AND EXECUTION OF THE REQUEST FOR THE ISSUANCE OF A PROCUREMENT CARD RELATIVE THERETO PURSUANT TO THE CLERMONT COUNTY PROCUREMENT CARD POLICY AND PROCEDURES FOR SAME...08-0109-003...

Recommendation of David L. Spinney, County Administrator, to authorize the issuance of one (1) Procurement Card for Shirley Williamson, an employee of the Clermont County Common Pleas Clerk of Courts, and to authorize the execution of the Request for the Issuance of a Procurement Card relative thereto, pursuant to the Clermont County Procurement Card Policy and Procedures adopted by the Board of County Commissioners on 06/22/05 and subsequently amended on 03/28/07.

12. IN RE: REQUEST(S) FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...

Request(s) from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
Clermont County Sewer District Lyle G. Bloom DC# 08-1215-005	Water Environment Federation	\$112.00* *Revised request – Previously approved by the Board of County Commissioners on 01/07/09 in the amount of \$109.00.	01/01/09 through 12/31/09
Department of Public Safety Services Barbara Davis Ralph Justus DC# 09-0105-007	Association of Public-Safety Communication Officials	\$138.00	01/01/09 through 12/31/09
Department of Public Safety Services Beth Nevel DC# 09-0105-007	Emergency Management Association of Ohio (OEMA) includes County Commissioners Association of Ohio (CCAO)	\$275.00* *Revised request – Previously approved by the Board of County Commissioners on 01/12/09 in the amount of \$225.00.	01/01/09 through 12/31/09

13. IN RE: MAINTENANCE AGREEMENTS FOR VARIOUS DEPARTMENTS FOR THE PROVISION OF MAINTENANCE ON OFFICE EQUIPMENT...

Requests from various departments to execute Maintenance Agreements with various vendors for the provision of maintenance on the following equipment at the rates and the terms outlined below pursuant to the terms and conditions set forth therein:

Elected Official or Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Clermont County Municipal Court DC# 09-0205-002	Waltz Business Systems, Inc. 730 Centre View Blvd. Crestview Hills, Kentucky 41017	Mita DC-4090 Copier S/N: 37020388	\$275.63 plus \$0.025 per copy in excess of 10,000 copies	01/01/09 through 01/01/10
County Recorder DC# 09-0205-003	Southpointe Engineering Systems P.O. Box 428548 Cincinnati, Ohio 45242	KIP 3002 Scanner/Copier S/N: 10511877	\$1,200.00 plus \$0.02 per square foot in excess of 42,500 square feet	02/20/09 through 02/19/10

14. IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF TUITION ASSISTANCE AGREEMENT FROM A CLERMONT COUNTY EMPLOYEE...05-0412-003...

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute a Tuition Assistance Agreement submitted by the following employee for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name	Amount
Clermont County Juvenile Court Sarah Johnson	Speech and Language Development	\$ 765.00

15. IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2009...

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

\$ 45,071.51	Emergency Management Agency Fund	211-4011-5700	Materials & Supplies
\$ 6,260.00	Emergency Management Agency Fund	211-4011-6600	Capital Outlay
\$ 60,530.76	Emergency Communication Capital Fund	408-1019-5700	Materials & Supplies
\$ 6,000.00	Courthouse Construction Fund	409-1019-6600	Capital Outlay
\$ 6,000.00	Administration Building Construction Fund	417-1019-6600	Capital Outlay

16. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

CLERMONT COUNTY COURT OF COMMON PLEAS

Judge Jerry R. McBride: Three (3) days – Columbus, Ohio – Ohio Judicial Conference Collaborative Project on Court Funding/Subcommittee of the Ohio Judicial College Court Administration Committee Meeting – Total expenses not to exceed \$201.00.

Judge Jerry R. McBride: One (1) day – Columbus, Ohio – Ohio Judicial Conference Civil Law & Procedure and Court Administration Committee Meetings – Total expenses not to exceed \$163.00.

COUNTY SHERIFF

Rick Lawson: One (1) day – Cincinnati, Ohio – TRANE Commercial Systems Technical Training Seminar entitled “Indoor Air Quality, A Common Sense Approach” – Total expenses not to exceed \$225.00

CLERMONT COUNTY MUNICIPAL COURT

Robert Lamb: Three (3) days – Mt. Sterling, Ohio – Ohio Judicial College 2009 New Magistrate Orientation – Total expenses not to exceed \$579.00.

PROSECUTING ATTORNEY

Holly Cruey: One (1) day – Cincinnati, Ohio – Fred Pryor Seminar entitled “Managing Multiple Priorities, Projects and Deadlines” – Total expenses not to exceed \$79.00.

COUNTY AUDITOR

Linda L. Fraley and Chuck Tilbury: Four (4) days – Williamsburg, Virginia – Tyler Technologies Appraisal and Tax User Conference – Total expenses not to exceed \$2,780.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Sandra K. Tahat: One (1) day – Cincinnati, Ohio – Workers Compensation Industrial Commission Hearing – Total expenses not to exceed \$10.00.

Brenda Gilreath and Ava O'Connor: One (1) day – Cincinnati, Ohio – Ohio Child Support Directors Association Cincinnati District Meeting – Total expenses not to exceed \$60.00.

Michael R. Pride: One (1) day – Findlay, Ohio – Northwest Directors Association Fiscal Training – Total expenses not to exceed \$15.00.

17. IN RE: PERSONNEL ACTION FORMS...